

MEMORANDUM

Agenda Item No. 11(A)(1)

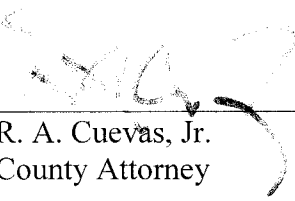
TO: Honorable Chairman Bruno A. Barreiro
and Members, Board of County Commissioners

DATE: October 16, 2007

FROM: R. A. Cuevas, Jr.
County Attorney

SUBJECT: Resolution directing Mayor
to identify sources of legally
available funds to fund
County's contribution towards
development of new ballpark
for Florida Marlins

The accompanying resolution was prepared and placed on the agenda at the request of Chairman Bruno A. Barreiro.



R. A. Cuevas, Jr.
County Attorney

RAC/jls




MEMORANDUM

(Revised)

TO: Honorable Chairman Bruno A. Barreiro
and Members, Board of County Commissioners

DATE: October 16, 2007

FROM: 
R. A. Cuevas, Jr.
County Attorney

SUBJECT: Agenda Item No. 11(A)(1)

Please note any items checked.

_____ "4-Day Rule" ("3-Day Rule" for committees) applicable if raised

_____ 6 weeks required between first reading and public hearing

_____ 4 weeks notification to municipal officials required prior to public hearing

_____ Decreases revenues or increases expenditures without balancing budget

_____ Budget required

_____ Statement of fiscal impact required

_____ Bid waiver requiring County Manager's written recommendation

_____ Ordinance creating a new board requires detailed County Manager's report for public hearing

_____ Housekeeping item (no policy decision required)

_____ No committee review

Approved _____ Mayor
Veto _____
Override _____

Agenda Item No. 11(A)(1)
10-16-07

RESOLUTION NO. _____

RESOLUTION DIRECTING MAYOR OR HIS DESIGNEE TO IDENTIFY SOURCES OF LEGALLY AVAILABLE FUNDS TO FUND COUNTY'S CONTRIBUTION TOWARDS DEVELOPMENT OF NEW BALLPARK FOR FLORIDA MARLINS AT ORANGE BOWL LOCATION AND AUTHORIZING MAYOR OR HIS DESIGNEE TO NEGOTIATE BASEBALL STADIUM AGREEMENT AND ANY OTHER RELATED AGREEMENTS BY AND AMONG COUNTY, CITY OF MIAMI, FLORIDA MARLINS, LP, AND ANY OTHER NECESSARY PARTIES, SUBJECT TO FINAL BOARD APPROVAL

WHEREAS, the County, the City of Miami (the "City"), the Florida Marlins and Major League Baseball currently are negotiating agreements for the development and operation of a new ballpark in the City for the Florida Marlins; and

WHEREAS, the University of Miami, the primary tenant of the Orange Bowl, has announced its intention to play all of its home football games at Dolphin Stadium commencing its 2008-2009 football season; and

WHEREAS, the State legislature failed to approve legislation to allow the Florida Marlins to receive a state sales tax rebate as provided to other professional sports franchises in the State; therefore, a funding gap exists in the financing plan for the new Ballpark; and

WHEREAS, this Board wishes to direct the Mayor or his designee to identify sources of legally available funds to fund the County's contribution towards the development of a new ballpark and to negotiate a Baseball Stadium Agreement and any other necessary agreements by and among the County, the City and Florida Marlins, LP to develop and operate a new ballpark at the Orange Bowl location, subject to subsequent Board approval,

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF MIAMI-DADE COUNTY, FLORIDA, that:

Section 1. The foregoing recitals are incorporated in this resolution and are approved.

Section 2. The Mayor or his designee is hereby directed to identify sources of legally available funds to fund the County's contribution towards the development and operation of a new ballpark at the Orange Bowl for the Florida Marlins, which sources may include, among others, Building Better Communities general obligation bond proceeds in an amount not to exceed \$50 million, the Convention Development Tax and the Professional Sports Tax.

Section 3. The Mayor or his designee is hereby directed to negotiate a Baseball Stadium Agreement and any other agreements by and among the County, the City, the Florida Marlins, LP and any other necessary parties for the development and operation of a new ballpark at the Orange Bowl location, subject to subsequent Board approval.

The foregoing resolution was sponsored by Chairman Bruno A. Barreiro and offered by Commissioner _____, who moved its adoption. The motion was seconded by Commissioner _____ and upon being put to a vote, the vote was as follows:

Bruno A. Barreiro, Chairman
Barbara J. Jordan, Vice-Chairwoman

Jose "Pepe" Diaz
Carlos A. Gimenez
Joe A. Martinez
Dorrin D. Rolle
Katy Sorenson
Sen. Javier D. Souto

Audrey M. Edmonson
Sally A. Heyman
Dennis C. Moss
Natacha Seijas
Rebeca Sosa

The Chairperson thereupon declared the resolution duly passed and adopted this 16th day of October, 2007. This resolution shall become effective ten (10) days after the date of its adoption unless vetoed by the Mayor, and if vetoed, shall become effective only upon an override by this Board.

MIAMI-DADE COUNTY, FLORIDA
BY ITS BOARD OF
COUNTY COMMISSIONERS

HARVEY RUVIN, CLERK

By: _____
Deputy Clerk

Approved by County Attorney as
to form and legal sufficiency.

GBL

Geri Bonzon-Keenan

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